

HOUSE BILL REPORT

SSB 6540

As Reported by House Committee On:
Commerce & Labor

Title: An act relating to processing liquor licenses.

Brief Description: Concerning the processing of liquor licenses.

Sponsors: Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kohl-Welles, Parlette and Keiser; by request of Liquor Control Board).

Brief History:

Committee Activity:

Commerce & Labor: 2/15/06, 2/22/06 [DPA].

Brief Summary of Substitute Bill
(As Amended by House Committee)

- Makes changes to the law related to the processing of liquor licenses, and makes technical changes.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass as amended. Signed by 9 members: Representatives Conway, Chair; Wood, Vice Chair; Condotta, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Crouse, Holmquist, Hudgins, Kenney and McCoy.

Staff: Lara Zarowsky (786-7119) and Jill Reinmuth (786-7134).

Background:

The Liquor Control Board (Board) controls the sale and distribution of alcohol by issuing licenses and enforcing laws related to the sale of alcohol. Liquor licenses are issued by the Board in accordance with state law and rules adopted by the Board.

Notice and Comment

The Board must send notice of an application to the city, town or county within which a liquor license is to issue. The Board must also notify by certified mail all churches, schools and public institutions within 500 feet of the premises for which a license is to be issued. The term "public institutions" is not defined, and has been interpreted to include post offices, fire stations, and state agencies.

Distance from Public Schools

No liquor license shall be issued to a retail premises within 500 feet of a public elementary or secondary school, with the distance measured from the outer property line of the school to the nearest public entrance of the premises proposed for licensure.

Temporary Licenses

A temporary licence may be issued to an applicant with a pending application, for purposes of continuing the operation of a retail premises, provided that the premises has operated under a retail license within 90 days of filing the temporary license application.

The Board is authorized to renew a temporary license for one 60-day period.

Residency

A person must reside in the state for at least one month prior to submitting an application for a retail license of any kind.

Summary of Amended Bill:

Various changes are made to RCW 66.24.010 related to processing liquor licenses:

Notice and Comment

The Board is authorized to extend the time period within which a city, town or county may file a written objection to an application. The Board is required to send notice of an application using receipt verification to: (1) all churches and schools within 500 feet of the premises to be licensed; and (2) public institutions, which the Board determines to be appropriate to receive written notice, within 500 feet of the premises to be licensed.

Distance from Public Schools

No liquor license shall issue to a retail premises within 500 feet of a public elementary or secondary school, with the distance measured from the main entrance of a public school to the nearest public entrance of the premises proposed for licensure.

Temporary Licenses

The Board is authorized to issue a temporary license for use on a premises not previously licensed to sell alcohol, and to renew temporary licenses at its discretion for periods of 60 days.

Residency

A person must reside in the state for at least one month prior to receiving a license. The Board may process an application, but not issue a license, for an applicant who has not resided in the state for at least one month.

Amended Bill Compared to Substitute Bill:

The definition of public institutions is deleted. The Liquor Control Board is authorized to determine which public institutions are appropriate to receive written notification when a liquor license application is received by the Board.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This is agency request legislation intended to streamline the process for the agency. The amendment from the Senate proposing a definition for the term "public institutions" is meant to keep the Liquor Control Board from having to determine what qualifies as a public institution for purposes of notice. The Senate amendment related to measuring the distance between an establishment applying for a license and a public school will give the Board more flexibility. If a school objects to the issuance of a liquor license, the Board will weigh that heavily and will probably not issue the license anyway, regardless of the distance between the school and the establishment.

Testimony Against: None.

Persons Testifying: Rick Garza, Washington State Liquor Control Board.

Persons Signed In To Testify But Not Testifying: None.